

## Part B State Annual Performance Report (APR) for 2007)

### Overview of the Annual Performance Report (APR):

The Rhode Island Department of Education (RIDE) first compiled and analyzed data for the development of the Annual Performance Report (APR)/State Performance Plan (SPP) utilizing the expertise of internal personnel. A draft along with the data was reviewed with the Rhode Island Special Education Advisory Committee (RISEAC). RISEAC advises the Commissioner and Board of Regents for Elementary and Secondary Education on matters concerning: (a) the unmet educational needs of children with disabilities; (b) comments publicly on any rules or regulations proposed by the State regarding the education of children with disabilities; (c) advises the Rhode Island Department of Education in developing evaluations and reporting on data to the Secretary under section 618 of the IDEA; (d) advises the RIDE in developing corrective action plans to address findings identified in Federal Monitoring Reports under Part B of the IDEA; and (e) advises the RIDE in developing and implementing policies relating to the coordination of services for children with disabilities. Membership of the committee is composed of individuals involved in or concerned with the education of children with disabilities. Parents of children with disabilities birth through 26 maintain the majority of the Committee Membership. The Membership also includes individuals with disabilities, teachers, representatives of institutions of higher education, private schools, charter schools, state and local education officials, administrators of programs for children with disabilities foster care and homelessness, vocational, community or business organizations, juvenile and adult corrections and State Child Serving Agencies. The SEAC reviewed the draft and provided suggestions and input. These were incorporated into the final copy of this document.

**Monitoring Priority:** Effective General Supervision Part B / Child Find

**Indicator – 11:** Percent of children with parental consent to evaluate, who were evaluated within 60 days (or State established timeline).

**Measurement:** a. # of children for whom parental consent to evaluate was received.  
 b. # determined not eligible whose evaluations were completed within 60 days (or State established timeline).  
 c. # determined eligible whose evaluations were completed within 60 days (or State established timeline).

Account for children included in **a** but not included in **b** or **c**. Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.

Percent =  $[(b + c) \text{ divided by } (a)] \text{ times } 100$ .

### Measurable and Rigorous Target:

The provision for children who were evaluated and eligibility-determined within 60 days after parental consent to evaluate was received by the public agency is a compliance indicator and OSEP designated the measurable and rigorous target at 100%. Each annual target of the six-year State Performance Plan is set at 100%.

FFY	Measurable and Rigorous Target
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<p><b>2007</b> <b>(2007- 2008)</b></p>	<p><b>100%</b> of children with parental consent to evaluate will be evaluated and eligibility determined within 60 days (or State established Timeline).</p>
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**Actual Target Data for FFY 2007 (2007- 2008):**

Rhode Island's Regulations Governing The Education Of Children With Disabilities section 300.301

**Initial evaluations:**

"(a) *General.* Each public agency must conduct a full and individual initial evaluation, in accordance with §§ 300.305 and 300.306, before the initial provision of special education and related services to a child with a disability under this part.

(b) *Request for initial evaluation.* Consistent with the consent requirements in § 300.300, either a parent of a child or a public agency may initiate a request for an initial evaluation to determine if the child is a child with a disability.

(c) *Procedures and timeframe for initial evaluation.*

(1) Each public agency must ensure that:

(i) Within ten (10) school days of the receipt of a referral for special education services a team of qualified professionals and the parent that includes the individuals described in § 300.321 and other qualified professionals, as appropriate, known as the *Evaluation Team*, meet to determine if a special education evaluation is needed.

(ii) The initial evaluation shall commence no later than ten (10) school days after the receipt of parental consent to conduct such an evaluation. If the parent does not notify the public agency within five (5) school days of their consent to evaluate, the team must document its efforts to obtain consent. If the public agency has not obtained parental consent to evaluate within fifteen (15) school days of the request to evaluate, the Evaluation Team must reconvene to consider what action the public agency will take including, (as appropriate) the requirements described in § 300.300(a)

(iii) A full individual initial evaluation is conducted before the initial provision of special education and related services

(2) Within sixty (60) calendar days of receipt of parental consent to an initial evaluation:

(i) The child is evaluated;"

To meet the new data requirement set by this indicator, Rhode Island modified the web-based eRIDE system to collect the following information annually:

1. *Date of parental consent to evaluate* (the actual date that the parents signed consent form). (The State of Rhode Island uses this date for starting the 60 day calendar for completion of the evaluation and the eligibility determination.) This is based upon the actual number of calendar days and does not exclude weekends or holidays or school closures.
2. Student was determined eligible for special education services (Yes or No).
3. *Eligibility Determination Date.* The State uses Eligibility Determination Date as the date for stopping the clock (date) on the calendar and calculates the timeline (number of days) between parental consent to evaluate date and eligibility determination date.
4. If the evaluation and eligibility were not completed within 60 days, then a reason for the delay is required by the system.

Reports are generated on the eRIDE system to ensure accuracy and compliance. To ensure compliance, a comparison is made between the current school year's (2007-2008) Special Education census database and the previous year's (2006-2007) Special Education census database. Any student who appears in the current special education census only and does not appear in the previous year's special education census is listed on a maintenance report. (LEAs) local education agencies must account for any student who appears to have an initial IEP implemented. All students who appear on that particular maintenance report must have a record entered into the Special Education Initial Evaluation system or appear on the exception listing with the appropriate information which is provided to the state from the local education agency.

There are 50 entities that comprise the local education agencies. These agencies include: 8 charter schools, 3 state schools, 2 state agencies and 37 traditional school districts. Rhode Island does not do sampling. This data was verified and publicly available in the fall of 2008 (FFY 2008) Of the 50 entities 37 LEAs were out of compliance on this indicator for FFY 2008.

The data from this system reflects all children in Rhode Island who were evaluated for determination for an IEP during FFY 2007 (2007-2008). The data that were entered into the database were input by trained personnel. Using the federal and state definition for 60 day timeline based on the actual calendar of days (which does not exclude holidays, weekends or school closures) the system calculates the number of days until a determination has been made.)

**Table 11.1a – Without State Allowable Exemptions**

60 Day Timeline Measure	Number of Students
a. # of children for whom parental consent to evaluate was received.	3937
b. # determined not eligible whose evaluations and eligibility determinations were completed within 60 days.	199
c. # determined eligible whose evaluations and eligibility determinations were completed within 60 days.	2152
Children included in a but not included in b or c	1584
Percent = $b + c$ divided by a times 100.	
$199 + 2152 = 2351$	
$2351$ divided by $3,937 = .5971$	
$.5971$ times $100 = 60\%$	
<b>60% without allowing for state acceptable exemptions.</b>	

Source. Rhode Island eRIDE Special Education Initial Evaluation System

**Table 11.1a** summarizes the data from the Special Education Initial Evaluation system. FFY 2007 was a year of data development and implementation. Rhode Island did not have access to this data in FFY 2007. For FFY 2008 Rhode Island did not meet the target of 100% compliance. Continuous review and refinement of the data system occurs on an ongoing basis. The system will be further refined with the addition of a field which will include the date when the local education actually received the signed parental consent form and this will be the date upon which the 60 day timeline is base upon. In this table which does not allow exemptions, Rhode Island reached a compliance rate of only 60%.

**Table 11.1b With State Allowable Exemptions**

60 Day Timeline Measure	Number of Students
a. # of children for whom parental consent to evaluate was received.	3937
a1) minus allowable exemptions	<u>272</u>
	3665
b. # determined not eligible whose evaluations and eligibility determinations were completed within 60 days.	199
c. # determined eligible whose evaluations and eligibility determinations were completed within 60 days.	2152
Children included in a but not included in b or c	1584
minus allowable exemptions (see table 11.2 for exemptions)	<u>- 272</u>
	1312
Percent = $b + c$ divided by $a$ times 100.	
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199 + 2152 = 2351	
2351 divided by 3665 = .6414	
.6414 times 100 = <b>64%</b>	
	<b>64% allowing for state acceptable exemptions.</b>

**Table 11.1b** summarizes the data from the Special Education Initial Evaluation system, allowing for the state acceptable exemptions. There were 272 children with an acceptable exemption which allow the local education agency to exceed the 60 day timeline. Including the acceptable exemptions into the calculations sets Rhode Island's target at 64%. The system calculates the timeline based upon the actual date the parents signed the consent form. Refinements to the data system for next year will, in addition, to the actual date the parents signed the form, the state record the date that the local education agency received the consent from the parent. This modification to the system, will allow the local education to not only keep track of the actual date the parents signed the form, but also allow for any additional time it might have taken for the local education agency to actually receive the form. Accounting for this refinement in the system, the SEA personnel Rhode Island's target percentage rate would be higher than 64% compliance.

**Table 11.2**  
**Number of Cases that Exceeded the 60 Day Evaluation Timeline**  
**and the Reasons**

<b>Reason</b>	<b>Number of Cases</b>	
<b>-*Child Transitioning from Early Intervening 0 to 3 years old system, referral made at 90 day transition conference, Evaluation Completed by third birthday.</b>	<b>51</b>	<b>51</b>
-Evaluation Completed/IEP team meeting scheduling conflict	221	
<b>-*Excessive student absences and/or hospitalization with Medical Medical Documentation</b>	<b>36</b>	<b>36</b>
-Extensive observation needed	37	
-Eye issues (student needs testing and/or reading glasses	1	
-Need time to determine student's dominant language	6	
-Not enough staff/staff schedules/increases in staff caseloads	241	
-Other	349	
-Parent did not have transportation	4	
<b>-*Parent did not return phone calls</b>	<b>78</b>	<b>78</b>
<b>-*Parent request for delay</b>	<b>93</b>	<b>93</b>
-Parent schedule inflexible	102	
-Requests for additional outside evaluation in order to determine eligibility	202	
-School closures (holiday/weather/emergency)	109	
-Staff illness	24	
<b>-*Student moved/withdrew from school (moved-out of school district)</b>	<b>14</b>	<b>14</b>
-Student refusal	2	
-Trial placement for diagnostic purposes to determine eligibility	16	
-NECAP/RIAA testing (statewide assessment)	0	
-Student not available due to school activities	0	
<b>Total</b>	<b>1584</b>	<b>272</b>

**\*Reasons listed above in bold are allowable exceptions.**

**Total Allowable Exceptions:**

**272**

**272/1584=.1717 x 100 = 17% of the exceptions were allowable.**

Completion dates from these cases ranged from 61 days to 364 days with the average being around 112. There were 1584 evaluations which were not completed within the 60 day timeline. Of those 1584 there were 272 evaluations that had an allowable exemption for a total of 1312 that exceeded the 60 day timeline.

#### **Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for FFY 2007.**

This is the first year that Rhode Island has implemented this system for and collected this information. The data was not available until FFY 2008. Rhode Island has a rigorous target of 100%. Data received and reviewed in FFY 2008 provided a baseline of 64% rate of compliance for children with parental consent to evaluate and eligibility determination was made within 60 days. Refinements to the data system for next year will, in addition, to the actual date the parents signed the form, the state record the date that the local education agency received the consent from the parent. This modification to the system, will allow the local education to not only keep track of the actual date the parents signed the form, but also allow for any additional time it might have taken for the local education agency to actually receive

the form. Accounting for this refinement in the system, the SEA personnel Rhode Island's target percentage rate would be higher than 64% compliance.

Rhode Island did not have access to this data in FFY 2007. For FFY 2008 Rhode Island did not meet the target of 100% compliance. Of the 50 entities 37 LEAs were out of compliance on this indicator for FFY 2008. This was the first year the system was implemented. SEA personnel attribute this rate to: a) implementing a new system and ongoing system refinement, b) new practice of reporting this data c) new procedures and practices d) new forms e) learning curve as all staff learned how and what was needed to ensure the system works most efficiently. More technical assistance and guidance from the SEA should help to alleviate some of these issues. There will be a review of SEA policies and procedures to improve the data collection process and monitoring.

**Table 11.4 Improvement Activities/Timelines and Resources**

Improvement Activities	Timeline	Resources
Implementation of the Special Education Initial Evaluation system on eRIDE. A workshop and documentation were provided.	July 2007- June 2008	RI Department of Education, Technology Staff and Office for Diverse Learners/Data Manager personnel.
Technical assistance was provided to various local education agencies as needed (via email, phone and onsite visits).	July 2007 and ongoing	RI Department of Education, Technology staff and Data Manager.
Verification of the data. The Special Education Initial Evaluation system checks the student's record in the Special Education Census for School Year 2007-2008 against the Special Education Census for School Year 2007-2008. Students who only appear in the 2007-2008 and did not appear in the previous year are flagged and a student must be reported on the Special Education Initial Evaluation system.	July 2007and ongoing.	RI Department of Education, Technology Support Staff and Office for Diverse Learners/Data Manager personnel.
Continue to develop, maintain and refine database and performance to meet timeline for determining eligibility. This includes modifying the system to include an additional field for the actual date the local educational agency received the signed parental consent form.	July 2007 and ongoing.	RI Department of Education, Technology Staff and Office for Diverse Learners/ /Data Manager personnel.
Issue LEA-level reports on Determinations and Timelines with recommendations for each LEA on areas of needed improvement to meet compliance. Send out a memorandum to all LEAS with reports stressing the importance of the regulatory	Winter 2008	RI Department of Education, Technology Staff and Office For Diverse Learners/Data Manager personnel and LEA personnel.

requirements of this indicator.  Develop more reports on the on system for LEAs to track their own success rate and rate of non-compliance.  .	Winter 2008	RI Department of Education Technology staff and Data manager.
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